

Examiner-Initiated Interview Summary	Application No. 09/991,099		Applicant(s) POLLARD ET AL.	
	Examiner David A. Lambertson		Art Unit 1636	

All Participants:

(1) David A. Lambertson, Ph.D.

(2) Lisa DiRocco.

Date of Interview: 29 April 2004

Status of Application: _____

(3) _____.

(4) _____.

Time: 2:30pm

Type of Interview:

☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
 If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Claim 11 and 30, 35 USC § 112, first paragraph.

Claims discussed:

11 and 30

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant's representative was contacted regarding the enablement rejection of claims 11 and 30. The Office suggested that entry of the term "candidate" in front of the term "contraceptive compound" would obviate the Office maintaining the rejection. The Office made the point that the term "contraceptive compound" had a necessary functional connotation that could not be accomplished by the method as claimed, as identifying a compound in the claimed method did not necessarily mean the compound was a contraceptive.

Applicant indicated that they understood the Office's position on the matter, although they maintained their assertion that the claims were already in condition for allowance. However, in order to clarify that the claimed methods identify both contraceptive compounds and compounds which may require further testing or validation as contraceptive compounds, Applicant agreed to the proposed Examiner's Amendment (see above, and the attached amendment). Additionally, Applicant asserts that the claims as amended still identify the same compounds as the claims prior to amendment, and these compounds may or may not require further validation or testing as contraceptive compounds, as stated. Finally, Applicant wishes to indicate that the attached Examiner's Amendment was approved for the sole purpose of advancing the prosecution of the application to allowance, and is not an indication that Applicant acquiesces to the correctness of the Office's position on the matter.

Applicant's representative granted approval to amend claim 29 to contain a positive process step recapitulating the preamble of the claim.